



PATENT

Attorney Docket No.: A-67209-6/RMS/DCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

WALT et al.

Serial No. 09/925,292

Filed: August 08, 2001

For: TARGET ANALYTE SENSORS
UTILIZING MICROSPHERES

Examiner: NOT YET ASSIGNED

Group Art Unit: NOT YET ASSIGNED

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated: 10/10/01

Signed: Christine P. Peters

Christine P. Peters

INFORMATION DISCLOSURE STATEMENT AND
STATEMENT OF RELATEDNESS

Assistant Commissioner
for Patents
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449.

Since copies of all the references except 82-83, 85-87, 95-96, and 128 were provided either by the Applicant or the Examiner in the following related U.S. Applications: Serial No. 09/840,012, filed April 20, 2001; 08/818,199, filed March 14, 1997, now Patent No. 6,023,540, U.S.S.N. 09/450,829, filed November 29, 1999, and U.S.S.N. 09/816,651, filed March 23, 2001, upon which the instant application relies for its priority date, in accordance

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with 37 C.F.R. § 1.98(d), no copies of these references are enclosed. Copies of references 82-83, 85-87, 95-96, and 128 are enclosed herewith.

With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicants draw the Examiner's attention to the following patent applications:

1. U.S.S.N. 08/818,199, filed March 24, 1997, now Patent No. 6,023,540; U.S.S.N. 09/151,877, filed September 11, 1998; U.S.S.N. 09/786,896, filed September 10, 1999; U.S.S.N. 09/450,829, filed November 29, 1999; U.S.S.N. 09/816,651, filed March 23, 2001; U.S.S.N. 09/840,012, filed April 20, 2001 and 09/840,012, filed April 20, 2001.
2. United States Serial Number 08/818,199, filed March 14, 1997, now Patent No. 6,023,540 and U.S.S.N. 09/450,829, filed November 29, 1999.
3. U.S.S.N. 09/189,543, filed November 10, 1998; U.S.S.N. 09/344,526, filed June 24, 1999; and U.S.S.N. 09/748,706, filed December 22, 2000.
4. U.S.S.N. 08/944, 850, filed October 6, 1997, and U.S.S.N. 09/287,573 filed April 6, 1999.
5. U.S.S.N. 09/315,584, filed June 20, 1999.
6. U.S.S.N. 09/256,943, filed February 24, 1999; U.S.S.N. 09/473,904, filed December 28, 1999; and U.S.S.N. 09/606,369, filed June 28, 2000.
7. U.S.S.N. 08/851,203, filed May 5, 1997, and U.S.S.N. 09/187,289, filed November 5, 1998.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited

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references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

This Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of a national stage, or before the mailing date of a first Office Action on the merits. 37 C.F.R. § 1.97(b), and therefore no fee is required. The Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-67209-6/RMS/DCF).

Respectfully submitted,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

Dated: October 24 2001



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